

FMC Requests Comments on Demurrage and Detention Charges

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On December 28, 2016, the U.S. Federal Maritime Commission published in the Federal Register a [Request for Comments](#) on the Petition of the Coalition for Fair Port Practices for a rulemaking. Specifically, the Coalition proposes that the Commission initiate a rule to “to clarify what constitutes ‘just and reasonable rules and practices’ with respect to the assessment of demurrage, detention, and per diem charges by ocean common carriers and marine terminal operators when ports are congested or otherwise inaccessible.” The petitioner has submitted text of the proposed rule.

The Commission therefore requests comments from the public with respect to the proposed rule, and has opened a docket on the matter. The petition appears to be further blow-back from the extensive port congestion experienced particularly on the West Coast in recent years, and follows several years of [increased Commission scrutiny](#) with respect to the demurrage, detention, and per diem charges, which have caused an outcry among U.S. shipper and trucker interests.

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